

102 KAR 1:125. Omitted contributions.

RELATES TO: KRS 161.560

STATUTORY AUTHORITY: KRS 161.310

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.560 provides that each agency employing members of the Teachers' Retirement System shall deduct the appropriate member contributions and forward the contributions to the system on a monthly basis. This administrative regulation sets out the conditions under which these required contributions shall be paid in the event the employing agency fails to deduct these amounts from the member's salary and forward the contributions to the retirement system.

Section 1. In every case where a properly certificated member entitled to membership under KRS 161.470 was employed, or is employed in the future, and the board of education fails for any reason to deduct the retirement contribution due under the retirement Act, the employee if a member of the retirement system, and not retired, may pay the retirement contributions which should have been deducted by the employer plus eight (8) percent compound interest from the end of the year in which the service was performed to date of payment, and receive credit for those years, provided the teacher was not at fault in creating this delinquency.

Section 2. Members of the retirement system who have previously withdrawn their contributions, may reinstate these accounts by complying with the requirements of KRS 161.470(3), and by repaying the amount refunded plus interest at the rate of eight (8) percent compounded annually from the date of withdrawal to date of repayment.

Section 3. Payment may be made directly to the retirement system. Payments shall not be made in installments. A receipt shall be given to the member making a payment. (TRS-24; 1 Ky.R. 137; eff. 12-11-74; Am. 9 Ky.R. 244; eff. 9-8-82; 17 Ky.R. 2475; eff. 4-5-91.)